

AT A PUBLIC HEARING AND REGULAR MEETING OF THE HAMPTON PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS, CITY HALL, HAMPTON, VIRGINIA, ON JANUARY 14, 2002 AT 3:30 P.M.

PRESENT: Chairman Perry T. Pilgrim, Vice-Chairman Ralph A. Heath, III, and Commissioners Katherine K. Glass, Timothy B. Smith, Harold O. Johns, Rhet Tignor, and George E. Wallace

ABSENT: None

ITEM I. ROLL CALL

A call of the roll noted all members present.

ITEM II. MINUTES

There being no additions or corrections, a motion was made by Commissioner Rhet Tignor, and seconded by Commissioner Ralph A. Heath, III, to approve the minutes of the December 10, 2001 Planning Commission meeting. A roll call vote on the motion resulted as follows:

AYES:	Smith, Johns, Heath, Glass, Wallace, Tignor, Pilgrim
NAYS:	None
ABST:	None
ABSENT:	None

ITEM III. YOUTH PLANNER REPORT

Ms. Rashida Costley, Youth Planner, updated the Commission on past events and future plans. She stated at the last Youth Commission work session, they gathered information regarding the National Conversation for Youth for the 4H Center. Ms. Costley and Ms. Price have been working on the security plan and youth friendly guidebook. A list is being formulated that describes a youth friendly environment. The list will be reviewed by the Comprehensive Plan Committee and distributed to schools and community groups to test its accuracy. She stated a meeting was held with Sgt. Jeff Davis of the Police Department to discuss the security plan for the youth center. The information gathered from the discussion will be taken back to the Youth Commission to review. A Comprehensive Plan meeting will be held tonight to discuss transportation recommendations, presentations to Mr. Ross Kearney, and overall goals for partnerships and inputting those recommendations into the Youth Component of the Comprehensive Plan.

CONSENT AGENDA

ITEM IV. PRELIMINARY SUBDIVISION PLAT: FARMINGTON – SECTION 16

Chairman Pilgrim read the description of the next agenda item.

This is a proposed 19.3± acre residential development generally located north of Farmington Boulevard, west of Manor Hill Court, east of Wexford Hill Road and at the western terminus of Ardmore Drive. The property is zoned One Family Residential District (R-11). The proposed subdivision contains up to 49 single-family lots and access to the subdivision will be from Farmington Boulevard via Whetstone Drive and Ardmore Drive.

There being no discussion, the Commission approved the following resolution:

WHEREAS: The Hampton Planning Commission has before it this day a proposed 19.3 ± acre preliminary single family residential subdivision, Farmington–Section 16, located north of Farmington Boulevard, west of Manor Hill Court, east of Wexford Hill Road and at the western terminus of Ardmore Drive, with a depth of 1,470'± and width of 1,160'± and access from Ardmore Drive and Castle Haven Road; and

WHEREAS: The property is zoned One Family Residential District (R-11) which allows 9,000 square foot lots with 70 feet of frontage and 1,700 square foot dwelling units; and

WHEREAS: The subdivider, Cedar Park Corporation, seeks conditional approval of up to forty-nine single family lots, as shown on the preliminary subdivision plat, dated September 20, 2001 and revised December 19, 2001; and

WHEREAS: There was no discussion regarding the preliminary plat at the meeting; and

WHEREAS: The subject subdivision plat is not in conflict with the 2010 Comprehensive Plan or any City Ordinance; and

NOW, THEREFORE, on a motion by Commissioner Katherine K. Glass and seconded by Commissioner Ralph A. Heath, III;

BE IT RESOLVED that the Hampton Planning Commission recommends that Farmington–Section 16 Preliminary Subdivision Plat be approved up to forty-nine single family residential lots, as not being in conflict with the 2010 Comprehensive Plan and any City Ordinance. A roll call vote on the motion resulted as follows:

AYES: Smith, Johns, Heath, Glass, Wallace, Tignor and Pilgrim
NAYS: None

ABST: None
ABSENT: None

REGULAR MEETING

ITEM V. PUBLIC HEARING ITEMS

Chairman Pilgrim read the public hearing notice on the next agenda item as advertised in the on December 31, 2001 and January 7, 2002.

1. **Use Permit Application No. 979** by Voicestream Wireless to add a communications antennae to an existing monopole tower owned by Crown Castle Communications, extending the tower by 35' for a maximum height of 135'. The property is located at 1330 Thomas Street. The property is zoned Neighborhood Commercial District (C-1) which may allow commercial communications towers with an approved Use Permit.

Ms. Amber Blatter, representative of Voicestream Wireless, 5041 Corporate Woods Drive, Suite 200, Virginia Beach, Virginia, stated the proposal is for an existing tower located at 1330 Thomas Street. The tower is currently owned by Crown Castle. The tower is 100' in height with one carrier. Voicestream would like to extend the height 30' with an overall height of 135'. This will not only allow Voicestream to co-locate, but it would give future carriers an extra 25' to co-locate. The equipment cabinets will be located at the base of the tower within the existing compound. She believes the co-location meets the guidelines of the city's policies. She asked that the Planning Commission support the request.

Mr. Joseph Feest, City Planner, presented the staff report on the subject use permit application, a copy of which is attached hereto and made a part hereof. He stated staff recommends approval because the proposed use is consistent with the Zoning Ordinance and 2010 Comprehensive Plan. He stated the applicant has submitted the Intermodal Study which meets the requirements of the City of Hampton Police Department.

In response to a question by Chairman Pilgrim, Ms. Blatter stated before the request was submitted, structural calculations were performed which allows the extension of the tower, and the base and foundation are satisfactory and can support the extension.

Mr. Ernest Hemingway, Jr., 1337 Thomas Street, had concerns regarding the stability of the tower during high winds, cables, and the frequency affecting his television.

Ms. Blatter stated that there should be no interference with Mr. Hemingway's television. She stated each carrier is licensed at a different frequency level. The television frequency and communications frequency are separate levels, so there should be no interference. The Intermodal Study not only addresses interference between other carriers, but interference with televisions. She stated there are no support cables with the

proposed tower. The monopoles are built straight upwards to allow additional carriers. She stated the tower should not fall over. She stated Voicestream is concerned not only with the structural soundness of the tower, but the safety of surrounding residents also.

Commissioner Glass stated that from previous requests on similar issues for telecommunications towers, carriers have always noted that if a resident does have any interference problems, they are always cooperative in coming out and investigating, but there should not be any problems.

After further discussion, the Commission approved the following resolution:

WHEREAS: The Commission has before it this day Use Permit Application No. 979 by VoiceStream Wireless Communications on 3.33± acres located at 1330 Thomas Street on the northwest corner of its intersection with Armistead Avenue and fronting 275'± on the west side of Thomas Street and extending to a maximum depth of 467'±; and

WHEREAS: This is a proposal to expand the existing tower to a maximum height of 135' and install a communications antennae; and

WHEREAS: The 2010 Comprehensive Plan recommends co-location of communications antennas on existing towers; and

WHEREAS: The property is zoned Neighborhood Commercial (C-1) which may allow communications antennas with an approved use permit; and

WHEREAS: The applicant has successfully demonstrated that the addition of the communications equipment will not interfere with the Public Safety radio system; and

WHEREAS: This tower is located in a commercial area and there are no negative impacts to the surrounding properties; and

WHEREAS: In response to a citizen's questions, the applicant explained that the tower was designed to stand without guy wires, and the additional antennae would not interfere with home electronic equipment;

NOW, THEREFORE, on a motion by Commissioner Rhet Tignor and seconded by Commissioner Harold O. Johns,

BE IT RESOLVED that the Hampton Planning Commission does hereby recommend to the Honorable City Council that Use Permit Application No. 979 be approved.

A roll call vote on the motion resulted as follows:

AYES: Smith, Johns, Heath, Glass, Wallace, Tignor, Pilgrim
NAYS: None
ABST: None
ABSENT: None

2. **Use Permit Application No. 980** by Voicestream Wireless to install antennae and related equipment on the rooftop of Executive Towers, located at 2101 Executive Drive. The property is zoned Limited Commercial District (C-2), and Special Public Interest-Coliseum Central District (SPI-CC), which may allow commercial communications towers with an approved Use Permit.

Ms. Amber Blatter, representative of Voicestream Wireless, 5041 Corporate Woods Drive, Suite 200, Virginia Beach, Virginia, stated the request is to place a three-sector antennae on the rooftop of the Executive Towers building located at 2101 Executive Drive. She stated the property is zoned Limited Commercial District (C-2). She stated Voicestream likes to co-locate wherever possible, and they are asking the Planning Commission to approve the request.

Ms. Caroline Butler, City Planner, presented the staff report on the subject use permit application, a copy of which is attached hereto and made a part hereof. She stated the proposed use meets the communications tower policies and 2010 Comprehensive Plan recommendation, and staff recommends approval subject to three conditions in which the applicant has to meet FAA, FCC and city regulations.

In response to a question by Commissioner Tignor, Ms. Blatter stated the height of the building is 107', and the height of the antennae will be 11', with a total height of 118' to the top of the proposed antennae.

After discussion, the Commission approved the following resolution:

WHEREAS: The Hampton Planning Commission has before it this day a request by Voicestream Wireless to install a three-sector antennae and a cabinet on top of the roof of the Executive Towers building located at 2101 Executive Drive; and

WHEREAS: The height of the building is 107' and the height of the proposed antennae is 11', for a total height of 118' to the top of the proposed antennae; and

WHEREAS: An approved Use Permit is required to co-locate on the rooftop of the building; and

WHEREAS: The 2010 Comprehensive Plan communication towers policy encourages siting antennae on rooftops and should be pursued as alternatives to erecting new towers; and

WHEREAS: This location will provide the coverage necessary to serve the customers in this area; and

WHEREAS: The structural engineer has concluded that the building can adequately support the proposed equipment; and

WHEREAS: The applicant shall comply with three conditions that are in accordance with the Federal Communications, Federal Aviation Administration, and city regulations; and

WHEREAS: No comments of opposition were expressed at the public hearing.

NOW, THEREFORE, on a motion by Harold O. Johns, and seconded by Katherine K. Glass,

BE IT RESOLVED that the Planning Commission respectfully recommends to the Honorable City Council that Use Permit Application No. 980 be approved subject to three conditions.

A roll call vote on the motion resulted as follows:

AYES:	Smith, Johns, Heath, Glass, Wallace, Tignor, Pilgrim
NAYS:	None
ABST:	None
ABSENT:	None

3. **Capital Improvement Plan FY2003-2007.** The proposed five-year schedule includes additions and improvements to the City's capital assets. Project categories include Street and Infrastructure Maintenance, Building Maintenance, Community Enhancement, Education, Capital Equipment and Other Projects. Cost estimates for the projects proposed in the five-year plan total \$95,685,410. Funding sources include General Fund Contributions, Economic Development Fund, General Obligation Bond Revenues, and Stormwater Fund Balance.

Mr. O'Neill introduced Ms. Jeryl Phillips, City Planner, and Ms. Sheila Guy, Senior Budget Analyst. He stated the responsibility of the Planning Commission is to hold a public hearing on the proposed draft CIP, and forward any comments or changes to City Council who will hold a public hearing at the end of the month.

Ms. Sheila Guy, Budget Manager, presented a general overview of what is a CIP, what it does, how it was developed, and what it entails.

Ms. Jeryl Phillips, City Planner presented the analysis of how the expenditures in the proposed CIP relate to the five year plan and the funding trends, highlights of particular projects, and recommendations of the Comprehensive Plan, a copy of which is attached hereto and made a part hereof.

In response to a question by Chairman Pilgrim, Mr. O'Neill stated the only comparisons that staff has made are to the city's own expenditures. City staff has not looked at other locality's expenditures. Staff has no indication of how other localities does their analysis, nor the knowledge of what projects fit in their plans. The only benchmark that staff can present over the course of the years is the average of all the years which is 74% or 75%.

In response to a comment by Chairman Pilgrim, Mr. O'Neill stated the reason multiple years have been included in the plan is in order to see long term trends. The task of the Commission is to look at the CIP as a long term trend knowing that it would fluctuate over time. For example, if the Commission saw the numbers toward the lower end of the range for a continual period of time, then it would be suggested that maybe there is a trend that the Commission needs to better understand and a conversation would be held with Council to discuss whether staff is actually doing enough to formulate and move recommendations forward. It has been fairly standard that it would fluctuate up and down. The city does not want to be at the low end of the acceptable range or even below that for a continual period of time, because staff would then have to suggest to the Commission that perhaps we are under-funding the recommendations.

Ms. Phillips stated the Commission is being asked to conduct a public hearing on the CIP, take public comment into deliberation and to recommend one of the following: add a project to the plan or move a project forward or backward.

In response to a question by Commissioner Smith, Mr. O'Neill stated staff will embark upon an analysis with other localities as they go through the Comprehensive Plan update in the community discussion process. Staff has not done this to date, but has talked about doing this which would be part of an environmental scan community profile analysis section of updating the Comprehensive Plan. He stated staff can take a look at whether other communities do the same kind of analysis to see if there are enough similarities to generate an accepted benchmark.

Ms. Guy stated the next step is to forward a recommendation to City Council, and City Council will make the final recommendation. The first year of the plan will be submitted to Council during the budget submission, and Council will have the opportunity to modify the capital budget during the budget deliberations.

Mr. Victor Sparber, President of the Copeland Industrial Park Business Association stated he owns a building at 5200 City Line Road in the industrial park on the Hampton side. He thanked the Planning Commission for their support in improving the infrastructure of that area. He stated the industrial park is the oldest in the entire region and has suffered from neglect. Through the leadership of the Council members, Commissioner Wallace, Development and Engineering, the issue has been addressed. In the past two years, the City of Hampton has been supporting the project to improve the infrastructure. He is asking the Commission not to forsake the project in the third year. He stated if the Commission drove through the area, they would see major improvement at the intersection of Aluminum Drive and Aberdeen Road. The improvements have

helped to alleviate traffic congestion and make the intersection a safe place for vehicles. He stated when the Commission reviews the CIP over the next three years of funding, there will be funds left over from prior years that was deliberate. Because the project was so intense, members of the Board of Directors and different government agencies have meetings to discuss how best to use the funds available to them since this is a five year project. They have tried to determine that if they had \$300,000 and have a project for \$400,000, it cannot be funded for that year. They have attempted to figure out what projects would work with the funds available to them. When the Commission reviews the projects and sees \$100,000 from the project, they are using their funds, but they are trying to use it wisely. The \$100,000 is needed, and if they are approved the following year, they will then have the \$400,000 to move forward with the project. He again thanked the Commission for their support.

In response to a question by Chairman Pilgrim regarding the procedure of funding, Commissioner Wallace stated the funds are closed at the end of the fiscal year, and Council re-appropriates the funds back the next fiscal year.

Mr. Dan Kelleher, Executive Director of Coliseum Central Business Improvement District (BID), 2021 Cunningham Drive, Suite 101, stated he too would like to reiterate the comments of the outstanding support the city has provided to the Coliseum Central commercial area. He discussed the landscaping and irrigation improvement project along Mercury Boulevard between Aberdeen Road and Queen Street. He stated the Engineering Department has estimated that the cost would be approximately \$300,000. He distributed a single-page report to the Commission that showed the types of improvements on Mercury Boulevard. He stated city staff has reviewed the proposal, and have concluded that the best way to fund this project is through an application for Tea-21 Transportation Enhancement Grant funds. The Business Improvement District has cooperated with the city in the submission of those grants and they intend to continue. In the past, they have been rejected for the grant, and it is possible that in the future they could be rejected. He stated this is an important project, and if they continue to be rejected year after year, that these type of landscape improvements in the Coliseum Central are important.

Commissioner Tignor stated in riding through the Coliseum area, he concurred with a comment from Commissioner Johns that there needs to be some statuary improvements in the median area. He understood that some of the art work could be borrowed.

Mr. Kelleher stated the BID just recently implemented a new program where funds are set aside to provide a grant if the city wanted to put up statuary which are above and beyond the normal standards for street improvements, and they provide fifty percent of the cost. He stated the city does not presently have a fund through the Arts Commission for public art. In talking with the Downtown Association, they would like to create a creative arts district in downtown Hampton. He stated maybe there is an opportunity for the city to set aside a small amount of funds to be budgeted every year for the Arts Commission and public art. If this was done, and projects were applied in the

medians along Mercury Boulevard, then the BID would come forward to support it and provide extra funding for it.

In response to a comment by Commissioner Tignor, Commissioner Wallace stated his impression is that the Downtown businesses in the municipal development of this concept anticipates that there is going to be some capability to export some of that art to areas of the community, and his presumption is that the Coliseum Central area was discussed. He stated that he does not know where they are in that juncture, but that was part of the planning process. He was reminded that there was some plans discussed during the first configuration of the Coliseum Central enhancement planning process of a vertical element that was planned for Coliseum Central to commemorate the original astronauts.

Mr. O'Neill stated this issue has not been discussed further due to funding limitations and other priorities. He stated that the original idea was to have some type of element in the Coliseum Central medians similar to Commissioner Johns' comment.

Mr. Kelleher stated regardless of what vehicle the city uses, the BID stands ready to help. He welcomed ideas for the medians.

Commissioner Wallace asked Mr. Kelleher to see if he could resurrect the concept that was part of the Coliseum Central's vision in terms of elements, for example: the flyover with signage and lighting, in order for them to bring back the issue.

Mr. Roosevelt Wilson, President of the Aberdeen Gardens Historic Civic Association, 1039 Micott Drive, stated that he is concerned with a library south of Mercury Boulevard in District 10. He did not see the library in the CIP, and asked the Commission to review this to add to the plan because there is a need. He also asked if Aberdeen was included in the stormwater maintenance and if not, they would like to be considered.

In response to a question by Mr. Wilson regarding Newmarket Creek Park, Mr. O'Neill stated that the city's Comprehensive Plan has envisioned the city acquiring properties, most of which would be wetlands along Newmarket Creek to provide public access for bird watchers, canoeing, kayaking, etc., that would be used as a park. Along strategic locations, it has been identified that the city need to acquire upland areas so people could have a place to enter, park and walk. Approximately \$2 million has been set-aside for a portion of Newmarket Creek park that is proposed as part of the overall Crossroads project which would be located around the Coliseum/Bluebird Gap Farm area. At the moment, the city does not have particular properties in hand, but has had initial discussions with some property owners in that general vicinity as to acquiring property for park use.

Mr. Wilson stated that there is an interest in this use because they have control of approximately 34 acres of wetlands that has been deeded to them by private organizations, and they are extremely interested in the project. He further wanted to acknowledge and thank Mr. O'Neill and his staff for their efforts in developing a strategic

plan for Aberdeen Gardens. He stated they did an outstanding job, and worked nights, over a year, and he never heard any complaints from staff, and they appreciate it. He wanted to let Mr. O'Neill know how much he appreciated their efforts.

Mr. O'Neill thanked Mr. Wilson for his acknowledgement, and told Mr. Wilson to contact the office in order for staff to give a briefing on the entire concept of Newmarket Creek Park.

Mr. C. A. Brown, 1813 Gildner Road, asked the Commission not to forget Windsor Terrace.

Commissioner Tignor stated that there is a line item in the CIP for parks and recreation in the amount of \$400,000, and he understands it includes \$50,000 for Bluebird Gap Farm. He believes the amount is just barely enough to paint the facility once. He asked that staff would go back and review this issue, and he believes the citizens of the community need some improvements to the facility. He understands that the Parks and Recreation budget is stretched tight, but he would be willing to go to Council with a recommendation to increase the funds in the CIP for this facility.

Commissioner Glass commented that the CIP process first peaked her interest years ago prior to her appointment to the Planning Commission. She stated it is nice to discuss things for the future, but this is how things really get accomplished when you really get down to how the money is spent. She thanked all parties responsible for distributing copies of the minutes from the CIP committee meetings because this gives the Commission a preview of what is coming and it is very helpful to the Commission. She stated from FY96 – FY03, on average, 75% of the CIP goes to Comprehensive Plan recommendations, which she believes is good. She does not want to adjust the proposed CIP in any way. She believes that the decision to not add any new requests to the contingency list is a responsible position to take in this uncertain economic time. The teen center is on the contingency list, and youth involvement in government is an area where Hampton has gained quite a reputation so she specifically supports that item. She welcomed comments by the other Commissioners and moved for approval of the FY2003-2007 Capital Improvement Plan.

In response to a question by Mr. Smith, Mr. Fred Whitley, City Engineer, stated the Chesapeake Avenue Seawall is located near the Newport News city line. It is just below the pumping station.

After further discussion, the Commission approved the following resolution.

WHEREAS: The Planning Commission has before it this day the Proposed FY2003-2007 Capital Improvement Plan (CIP); and,

WHEREAS: The CIP identifies a proposed five-year schedule of expenditures to fund additions and improvements to the City's capital assets; and,

WHEREAS: Total expenditures in the five-year plan are estimated at \$95.67 million across the following general categories of expenditures: Street and Infrastructure Maintenance; Building Maintenance; Community Enhancement; Education; Capital Equipment; and, Other Projects; and,

WHEREAS: Funding sources include: General Fund Revenues; Economic Development Fund; General Obligation Bond Proceeds; and, Stormwater Funds; and,

WHEREAS: The proposed FY2003-2007 CIP is considered as a proposed five-year spending plan and is intended to be a guide to assist in the preparation of the annual budget that will occur in May 2002; and,

WHEREAS: The final adoption of the CIP occurs during the annual budget deliberations and the first year of each CIP is the only year that actually gets incorporated into the annual budget; and,

WHEREAS: Section 15.2-2239 of the Code of Virginia requires the Planning Commission to forward a CIP to the governing body after conducting a public hearing; and,

WHEREAS: Several citizens and/or business owners spoke either in favor of the proposed CIP, or asked for clarification on some of the items contained therein, or expressed dissatisfaction that certain expenditures are not included; and;

WHEREAS: The following comments were offered by the public:

Copeland Industrial Park Business Association: In support of the CIP, specifically the line item for Copeland Industrial Park.

Coliseum Central Business Improvement District: In support of the CIP, specifically the line item for Coliseum Central Improvements.

Aberdeen Gardens Civic Association: There is no inclusion in the CIP for another library south of Mercury Boulevard; requested clarification of "Stormwater Projects" and inquired if the Aberdeen Gardens area is included; and, requested clarification on the "Newmarket Creek Park" line item and noted that the Association owns thirty-four (34) acres that may be useful for this purpose.

Windsor Terrace: Windsor Terrace has flooding problems and the CIP does not appear to address this; and,

WHEREAS: Commissioner Tignor stated that it is apparent from the minutes of the CIP Committee that \$50,000 included in the "Parks and Recreation Maintenance" line item is for Bluebird Gap Farm Park, and that additional

funding should be considered for that purpose; however, no change is proposed at this time but will be further addressed at the City Council meeting.

NOW, THEREFORE, on a motion by Commissioner Katherine Glass and seconded by Commissioner Tim Smith,

BE IT RESOLVED that the Hampton Planning Commission respectfully recommends to the Honorable City Council approve the proposed FY2003-2007 Capital Improvement Plan.

A roll call vote on the motion resulted as follows:

AYES:	Smith, Johns, Heath, Glass, Wallace, Tignor and Pilgrim
NAYS:	None
ABST:	None
ABSENT:	None

Chairman Pilgrim thanked city staff for the information on the CIP. He stated that the package was very nice, and it gave the Commissioners a lot of background information to make decisions.

ITEM VI. PLANNING DIRECTOR'S REPORT

Mr. O'Neill introduced Mr. Keith Cannady, who will update the Commission on the Chesapeake Bay Preservation District Comprehensive Plan.

Mr. Keith Cannady, City Planner, updated the Commission on the Chesapeake Bay Preservation District Comprehensive Plan amendment draft. He received additional comments on the draft from the Chesapeake Bay Local Assistance staff and Newport News Waterworks, who reviewed the plan and are pleased with the plan, but request additional information. The Peninsula Home Builders Association, Hampton Roads Planning District are comfortable with the plan and have not requested any additional information. He is waiting on comments from other city departments. He stated there are some outstanding comments and work to be completed on the draft. He has suggested another update of the plan to be held at the February meeting and adoption of the amendment in March by the Commission and April by Council. This may require an extension of the deadline by the State. He stated as long as staff is making progress, this should be satisfactory to the State.

In response to a question by Chairman Pilgrim, Mr. Cannady stated the Comprehensive Plan policies should not affect development. This is a house-keeping procedure of details and policies to the Comprehensive Plan in order to satisfy State requirements. Staff is also dealing with changes in the State regulations that would affect the city's Zoning Ordinance in terms of what is required in the buffer area. A memo was sent to the City Attorney's Office and Council that deal with the regulations. Staff believes

that given sufficient time and process to amend the Zoning Ordinance, staff can meet the new State requirements. The concern that staff has is that the policy the State has adopted, is to begin immediately implementing the new proper requirements. In other words, where staff is now working with a property owner in reducing the requirement to fifty feet, the state is saying now the requirement is 100 feet. Staff has made the interpretation that they have to go through a public hearing process in order to consider the new State regulations. There is some speculations and questions regarding the immediate impact from this regulation. Staff cannot implement these requirements immediately until they go through the Zoning Ordinance amendment process. Staff is aware of the deadline and working on it, and hope to come back to the Commission over the next year with the recommendations made to meet the State requirements.

Mr. O'Neill discussed the joint meeting with the Commission. He welcomed comments and suggestions.

After discussion, he suggested that the joint meeting with the Commission and Council be delayed. He stated staff is going through some internal conversations about innovative ways of doing the Comprehensive Plan process which would broaden the scope of that effort. This would be the type of topic that the Commission and Council can discuss. At the moment, staff is not at the point where they can discuss the ideas, what it entails or how they would do it. He stated if the Commission is agreeable, he suggested that the meeting be postponed until they are at a point where staff has something to discuss with the Commission and Council. The timeframe would be between March or June. The Commission agreed.

A motion was made by Commissioner Katherine K. Glass, and seconded by Commissioner Timothy B. Smith to extend the Planning Commission meeting beyond 5:00 p.m. a vote on the motion resulted as follows:

AYES:	Smith, Johns, Heath, Glass, Wallace, Tignor, Pilgrim
NAYS:	None
ABST:	None
ABSENT:	None

ITEM VII. ITEMS BY THE PUBLIC

There were no items by the public.

ITEM VIII. MATTERS BY THE COMMISSION

Ms. Butler stated that in reviewing the calendar, the regular meeting in November 2002 falls on a holiday. She asked if the Commission wanted to entertain a motion to move the November meeting.

A motion was made by Commissioner Ralph A. Heath, III, and seconded by Commissioner Rhet Tignor, to move the November 11, 2002 meeting to November 18, 2002. A roll call vote on the motion resulted as follows:

AYES: Smith, Johns, Heath, Glass, Wallace, Tignor, Pilgrim
NAYS: None
ABST: None
ABSENT: None

Mr. O'Neill commented that Chairman Pilgrim is the Commission's liaison to the Crossroads task force. He wanted to know if the Commission would like to have an update on the project.

Chairman Pilgrim stated there should be an update whether quarterly or twice a year. He stated with the frequent changes in the Power Plant and the Convention Center, he would welcome updates and would like for this to be incorporated into the agenda.

Commissioner Tignor suggested that the updates be held at the 3:00 work session. Chairman Pilgrim agreed.

ITEM IX. ADJOURNMENT

There being no additional items to come before the Commission, the meeting adjourned at 5:03 p.m.

Respectfully submitted,

Terry P. O'Neill
Secretary to Commission

APPROVED BY:

Perry T. Pilgrim
Chairman